

**PLAINTIFFS' FOURTH AMENDED PETITION  
FOR DECLARATORY RELIEF AND APPLICATION FOR  
TEMPORARY INJUNCTION PENDING TRIAL**

<sup>5</sup>See TRCP 37 and 39.

**TO THE HONORABLE JUDGE OF SAID COURT:**

Come now Richard P. Jones and Michael Joseph Bitgood, a/k/a/ “Michael Easton” as well as Lewis, Brisbois, Bisgaard & Smith LLP, a Texas domestic partnership, from herein after Plaintiffs, who bring this suit against Karina Martinez, Marianna Sullivan, Imperial Lofts, LLC, Imperial Lofts LLC owner, David Oubre, Chinasa Ogbureke, and Lewis, Brisbois, Bisgaard & Smith LLP, a California Foreign Entity, and in support they would show as follows:

**I. JURISDICTION, VENUE & DISCOVERY LEVEL**

1. All natural Plaintiffs are residents and citizens of Fort Bend County, Texas. Lewis, Brisbois, Bisgaard & Smith is a domestic LLP formed under the laws of, and registered with, the Texas Secretary of State, with it’s principal offices in Fort Bend County, Texas.
2. Defendants Martinez and Sullivan are individuals who are residents of, and who do business in Fort Bend County, Texas. Imperial Lofts, LLC, is an entity authorized to do business in Texas, located and doing business in Fort Bend County, Texas. Imperial Lofts LLC “Owner” are the true “shills” used by NRES services (Nolan) to do

business, as Imperial Lofts, David Oubre, and Chinasa Ogbureke, on behalf of the California entity and Martinez, Sullivan, and Imperial conduct business in Fort Bend County, Texas using the Plaintiff LLP's name in an illegal and unauthorized manner reasonably calculated to create mass confusion and damage Plaintiff LLP.

3. This Court has subject matter jurisdiction over the claims raised by Plaintiffs in that all or part of the torts and crimes alleged in this petition occurred in Fort Bend County, Texas.

4. Venue is also proper in Fort Bend County, Texas based on Tex. Civ. Prac. & Rem. Code Ann. §15.017.

5. Plaintiffs' intend that Discovery Level III apply in this case.

6. The amount in controversy at the time of the filing of this petition exceeds the minimal amount required by law, and does not, at this time exceed the maximum jurisdictional limits of this Court exclusive of interest, attorney's fees, and punitive damages.<sup>6</sup>

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<sup>6</sup> Because criminal conduct as defined by the laws of this state and the laws of the United States was committed by the Defendants, the statutory cap on punitive damages does not apply.

## II. CITATIONS AND SERVICE

7. Defendants' Karina Martinez, Marianna Sullivan and Imperial Lofts, LLC, have appeared and are before the Court.

8. Defendant David Oubre made a voluntary appearance on June 23<sup>rd</sup> 2022 by appearing and filing a written pleading in the case.

9. Defendant, Chinasa Ogbureke, made a voluntary appearance on June 23<sup>rd</sup> 2022, by appearing and filing a written pleading in the case.

10. Defendant, **Lewis, Brisbois, Bisgaard & Smith LLP, a California foreign entity, made a voluntary appearance and voluntarily entered this case on June 23<sup>rd</sup> 2022 by filing a pleading in this case** despite not being authorized to do business in Texas, under the guise of they registered the disputed LLP "first". That alone joins the issue, and sets the stage under Chapter 37 of Texas Civil Practice and Remedies Code as the Plaintiffs cannot be the Plaintiffs, and also represent the Defendants.

11. Imperial Lofts OWNER LLC, may be served by serving it's registered agent for service, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. The clerk is requested to issue

one citation for Imperial Lofts OWNER LLC for service on CT.

### **III. BACKGROUND FACTS**

12. “Nolan Red” is a real estate company/corporation, well, sort of.

The Secretary of State shows no corporate charter nor authorization for a company named “Nolan Red” to do business in Texas. Nolan’s latest iteration for the purposes of fraud is NRES holdings with a myriad of LLC’s to defraud the public, and to employ Madam Marianna Sullivan.

13. The closest-named entity found at the Texas Secretary of State is “Nolan Real Estate Services, Inc.,” which currently has no right to do business in Texas.

14. Nolan Real Estate Services, Inc., forfeited its right to do business in Texas after acquiring a series of residential apartment complexes then failing to follow Texas law and pay its taxes.

15. To get around that slight issue, Nolan Red retained and used the commercial services of Hoover Slovacek to assist them in perpetrating various frauds, crimes, and torts against not only the State of Texas, but also unsuspecting past tenants, potential tenants, and of course, the courts of the State of Texas.

16. As part and parcel to these continuing and never ending circular frauds, Hoover Slovacek apparently directs and advises the other Defendants in this case on how to illegally conceal their true identity, and appear in court as non-entities with no standing to sue the unsuspecting and gullible citizen so that the citizen is left with no recourse.

17. Hoover Slovacek also appears to stand by while the Defendants engage in criminal conduct, fraud, and directly retaliate against anyone who dares to question this very profitable, and very illegal relationship.

18. As just one recent example, Plaintiffs would show that from February 1, 2018, up until December 17, 2021, Imperial Lofts LLC, using the trade name or moniker "Imperial Lofts," brought and prosecuted no less than seven fraudulent eviction petitions with no legal standing to do so.

19. Of those seven or so petitions, Plaintiffs were the victims of this scam, and both Jones and Bitgood were the victims of a crime, where Hoover Slovacek was on the opposing side.

20. To carry out the process of protecting the true corporate criminal,

Nolan Real Estate, Hoover Slovacek apparently directed Nolan Red's low level minions, Karina Martinez and Marianna Sullivan, to engage in actions which constitute criminal conduct, including, but not limited to:

- a. Tampering with governmental records;
- b. Suborning and committing perjury to illegally invoke the jurisdiction of the courts of Fort Bend County;
- c. Fraudulently billing Fort Bend County under the CARES ACT, commonly known as the Rental Assistance Program;
- d. Directing its minions to also extort tenants for non-existent fees; and
- e. Threaten with swift and very illegal court actions, anyone who would stand up to Sullivan or Martinez, their thefts, or dare to complain about Nolan and its fictitious and non-existent entities.

21. After Defendants were discovered to be perpetrating these crimes and frauds upon not only the Plaintiffs, but also upon the integrity of the Courts, they doubled down on December 17<sup>th</sup> 2021, after being challenged. Hoover Slovacek apparently told Nolan Red to immediately file an assumed name certificate outside of Fort Bend County so that it

would not be readily located, under the mistaken belief that this fraudulent filing with the Secretary of State was going to somehow wipe clean their frauds, felonies, and the torts inflicted on Plaintiffs.

22. Plaintiffs would further show that Martinez and Sullivan, with the apparent blessing of Hoover Slovacek

- a. invaded the privacy rights of Plaintiffs;
- b. haled them into court with no standing to do so; and
- c. committed felony offenses to intimidate and silence the Plaintiffs;
- d. procured unfounded criminal charges against Easton; and,
- e. schemed to procure unfounded charges against Jones using Edmunds' creative "default", and
- f. contracted with, and aided, abetted, and encouraged Oubre, and Ogbureke to file pleadings and papers in the Courts of Fort Bend County, Texas, using the Plaintiffs LLP, an act they were not authorized to do as the the name Lewis Brisbois belongs to the Plaintiff LLP, not the defendants or their co-conspirators. Plaintiffs adopt and incorporate by reference as if set forth verbatim exhibits "A" and "B"



attached to the Plaintiff's third amended petition as if annexed hereto and duly incorporated herein by reference, the initial assumed name filing in Fort Bend County, Texas, that was later followed up with an LLP formation with the same name with the Secretary of State,

23. Plaintiffs seek a declaration from the Court, by way of jury charge, under Chapter 37 of the Texas Civil Practice and Remedies Code that the Defendants have engaged in a scheme and plan and have conducted an enterprise directed at concealing Nolan Red's true identity, stolen the identity of Plaintiff domestic LLP to carry out and execute a scheme to defraud the tax payers as well as the State of Texas which has visited harm, not only on these Plaintiffs, but also on countless otherwise law-abiding citizens. Clearly, there cannot be a Plaintiff named Lewis, Brisbois, Bisgaard & Smith LLP (from herein after the Lewis LLP), and a set of imposters, Oubre and Ogbureke, signing their names to pleadings and documents without the consent of the LLP. This is tantamount to the Lewis LLP, suing itself, something only Brice Beale, from Hoover-Slovacek, has managed to accomplish.

For these reasons, Plaintiffs seek both a temporary and permanent injunction to enjoin all the defendants from using the Plaintiff LLP's name anywhere in the State of Texas, along with all the proceeds that were billed and collected by the phoney Lewis Brisbois since May 26<sup>th</sup>, 2022, along with a declaration that the phoney Lewis Brisbois has no partnership, limited or otherwise in the State of Texas.<sup>7</sup>

24. Plaintiffs' would show that in at least five cases brought by Martinez and Sullivan brought before justice of the peace Justin Joyce of Fort Bend Precinct Three (pre-2022, now Precinct 4), evicted the tenants when neither Martinez nor Sullivan improperly and by felony conduct purported to invoke the jurisdiction of the court and, when the issue of jurisdiction was raised in at least one case, the justice of the peace essentially stated that was not his concern.

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<sup>7</sup>By way of clear explanation, the phoney Lewis Brisbois voluntarily gave up it's right to do business in Texas under that name, when despite repeated warnings from the secretary of state directed at Oubre, and to it's California office to renew, Oubre did nothing, as the secretary of state allowed him to do to surrender the name, and allowed the foreign LLP to expire, thereby allowing the domestic LLP to formed, registered and approved by the Texas Secretary of State. Like any other race in the world, the first to the "finish line" is declared the "winner" by the Secretary of State.

25. Plaintiffs' will further show that Sullivan/Martinez and Imperial, with the guidance of Hoover-Slovacek, and in return for rental concessions, and other gifts given to, routinely use, by way of bribery, certain members of the Sugar Land police department to harass, intimidate, and to threaten anyone who opposes them with the threat to procure criminal charges to gain an advantage in any civil action against them, and to divert attention away from the serious felony crimes committed by Martinez and Sullivan, which threaten the core foundation of public integrity. In addition, and using attorney, David Oubre, Martinez and Sullivan set out to interfere with the core functions of the courts; to press law-enforcement to again charge Easton with a criminal offense, and to use Oubre to make false statements to the courts so as to conceal the nature and identity of the criminal offenses committed by Martinez and Sullivan.

26. In Easton's case, on or about January of 2022, and in response to the false narrative being put out by Sullivan and Martinez, Easton responded to an inquiry by Jones' attorney by sending her an e-mail that discussed the very substance and truth of the matters at Imperial

Lofts which also exposed the viciousness of Sullivan, and the mental delusions of Martinez. The e-mail in question was copied to all parties, and all counsel. **More importantly, counsel for Martinez, Sullivan and Imperial, Daniel Edmunds of Hoover-Slovacek, took the email and filed it, thereby making it a matter of public record and placing into dispute a flurry of matters that no one would have ever placed in the pleadings or made public.**

27. On January 5<sup>th</sup> of 2022, Madam Sullivan, with the assistance of Edmunds, induced another of her submissives at the Sugar Land Police Department, one Bryce Spencer, to initiate a criminal charge against Easton for an alleged violation of *Tex. P. Code 42.07*, with Edmunds detailing and making the charge public in the pleadings, while the City of Sugar Land was resisting all attempts to confirm it, and to initiate an internal affairs complaint.<sup>8</sup>

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<sup>8</sup>Officer Spencer has created his own set of problems for himself, for while manufacturing a non-existent criminal offense, Spencer knowingly and willfully placed false information in the offense report knowing the entries were false, and then tendered the false entries to the district attorney's office. His actions constitute the felony offense of tampering with governmental records, and because Texas is a law of the parties state, that offense was also committed by Edmunds, Sullivan and Martinez. See Tex P. Code 37.10.

28. In Jones' case, and after Jones prevailed in his illegal eviction scheme, Madam Sullivan, and Edmunds, then manufactured a default so that they could once again evict Jones, and then have their submissives at the Sugar Land Police Department arrest, and file on Jones, for the offense of criminal trespass under *Tex. P. Code 30.05 (a) (2)*.

#### **IV. CAUSES OF ACTION**

29. The foregoing conduct constitutes the torts of invasion of privacy, breach of contract, fraud, abuse of process, criminal retaliation, civil-conspiracy, malicious prosecution, intentional infliction of emotional distress, theft, and in Jones' case it is particularly grounded in a racial animus as Sullivan and her counsel continue to harass and threaten Jones with more illegal action if he fails to capitulate to the will of the Defendants.

#### **PRAYER FOR RELIEF**

**WHEREFORE PREMISES CONSIDERED**, Plaintiffs pray that judgment be rendered in their favor for all actual damages, attorney's fees, pre and post judgement interest, and punitive damages as the

conscience of the good citizens of Fort Bend County will allow. In addition under Chapter 37, Plaintiffs' pray for declaratory relief as set forth above. Plaintiffs pray for general relief.

Respectfully submitted,

/s/Michael Joseph Bitgood  
a/k/a/ Michael Easton  
d/b/a/ "Michael Easton"  
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### **CERTIFICATE OF SERVICE**

On June 24<sup>th</sup> 2022, I certify that I served a true and correct copy of Plaintiffs' Amended Petition via the Texas e-filing system

/s/ Susan C. Norman  
Susan C. Norman

**Automated Certificate of eService**

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